

HOUSE BILL 3057
By Cochran

AN ACT to amend Tennessee Code Annotated, Title 17,
Chapter 4, Part 1, relative to the nominations of
the judicial selection commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 17-4-109, is amended by deleting subsection (e) and substituting instead the following:

As soon as practicable and not later than sixty (60) days from receipt of written notice from the governor that a vacancy has occurred, the commission, in public or private meeting, by a two-thirds (2/3) majority vote, shall select three (3) persons whom the commission deems best qualified and available to fill the vacancy and certify the names of the three (3) persons to the governor as nominees for the judicial vacancy. However, if an incumbent judge fails to file a written declaration of candidacy as required by §17-4-114 or §17-4-115, or if the commission is reliably informed that a vacancy is impending for another reason, then the commission may meet, select such persons, and certify the names of such nominees to the governor prior to actual receipt of written notice from the governor that a vacancy has occurred.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.